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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/591,557	08/31/2006	Robert Nientiedt	2003P19363WOUS	4806

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SIEMENS CORPORATION  
INTELLECTUAL PROPERTY DEPARTMENT  
170 WOOD AVENUE SOUTH  
ISELIN, NJ 08830

EXAMINER
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CHUGHTAI, SARWAT

ART UNIT	PAPER NUMBER
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2617

MAIL DATE	DELIVERY MODE
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03/03/2010

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/591,557	<b>Applicant(s)</b> NIENTIEDT, ROBERT	
	<b>Examiner</b> SARWAT CHUGHTAI	<b>Art Unit</b> 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2010.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 14-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 14-23 is/are allowed.
- 6) ☒ Claim(s) 24-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

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## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 24-33 are rejected under 35 U.S.C. 102(b) as being anticipated by Solondz (US 6,862,447 B1).

Regarding claim 24, Solondz discloses, an arrangement for detecting a radio coverage in a multicellular mobile radio system (**See Abstract and Column 1, Lines 8-11; whereas Solondz discloses, a method of making downlink operational measurements in a wireless communication system**), comprising:

an evaluation unit (**See Column 3, Lines 1-6 and Figure 1; whereas Solondz discloses, main control unit (MCU)**); and

a plurality of base stations communicatively connected to the evaluation unit (**See Column 2, Lines 66-67- Column 3, Lines 1-12 and Figure 1; whereas Solondz discloses, plurality of cells, each include base station and the MSC communicates with each base station. The MSC has an addition which is the MCU**), the plurality of base stations operating in a normal operating mode (**See Column 3, Lines 23-46**), including, according to a first configuration:

wherein the plurality of base stations are consecutively switched, one at a time, from the normal operating mode to a measuring operating mode (**See Column 5, Lines 26- 42 and Figure 5; whereas Solondz discloses, the identified base stations make the operational measurements**),

wherein the measuring one switched base station in the measuring operating mode measures

(a) a field strength of each of the base stations the locally adjacent to it (**See Column 3, Lines 23-46 and Figure 2**), with the locally adjacent base stations in the normal operating mode (**See Column 3, Lines 23-46 and Figure 2; whereas Solondz**

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**discloses, a base station of interest generates a measurement request. The measurement request indicates the downlink operational measurements to be made and identifies which base stations should receive the measurement request), and**

(b) a quality of synchronicity between the one switched base station and each of the locally adjacent base stations **(See Column 3, Lines 23-46 and Figure 2; whereas Solondz discloses, a base station of interest or the MCU generates a measurement request)**, with the locally adjacent base stations in the normal operating mode base station **(See Column 3, Lines 23-46 and Figure 2; whereas Solondz discloses, The measurement request indicates the downlink operational measurements to be made and identifies which base stations should receive the measurement request and identifies the signal transmitted by the base station of interest to measure)** and the measuring base station is synchronized with the locally adjacent base station **(See Column 5, Lines 5-25; whereas Solondz discloses, the identified base stations sends the received results and the associated location information to the MCU and the MCU create a map of received results based on the location information associated with each measured results), and**

wherein the evaluation unit receives the measured field strength and measure of synchronicity quality for evaluation **(See Column 5, Lines 5-25 and Figure 5).**

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Regarding claims 25 and 30, Solondz discloses, wherein each measured field strength is provided to the evaluation unit with an identification of the measured base **(See Column 4, Lines 1-6)**.

Regarding claims 26 and 31, Solondz discloses, herein the evaluation unit modifies the mobile radio system based on a result of the evaluation **(See Column 5, Lines 5-24)**.

Regarding claims 27 and 32, Solondz discloses, wherein the evaluation unit creates a field strength map for determining the position of a mobile unit **(See Column 5, Lines 5-24 and Figure 5; whereas Solondz discloses, MCU may then create a map of the received results based on the location information associated with each measurement results)**.

Regarding claims 28 and 33, Solondz discloses, wherein the mobile radio system is designed in accordance with a Digital Enhanced Cordless Telecommunications standard **(See Abstract; whereas Solondz discloses, mobile terminal)**.

Regarding claim 29, Solondz discloses, wherein the radio coverage is detected in cycles, and wherein a result of the current evaluation is compared with a result of a previous evaluation of measured field strength **(See Column 4, Lines 39-46)**.

***Allowable Subject Matter***

Claims 14-23 are allowable over prior art.

***Conclusion***

The Prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Solondz (US 6,862,447 B1) discloses downlink operational measurements in communication system with similar process to applicant.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SARWAT CHUGHAI whose telephone number is (571)270-7272. The examiner can normally be reached on Monday-Thursday 8:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nick Corsaro can be reached on (571)272-7876. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/SARWAT CHUGHTAI/  
Examiner, Art Unit 2617

/NICK CORSARO/

Supervisory Patent Examiner, Art Unit 2617